

AO 440 (Rev. 8/01) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

DBA DISTRIBUTION SERVICES, INC. d/b/a  
DISTRIBUTION BY AIR

V.

MSL PRODUCTIONS, LLC, MSL SPORTS AND  
ENTERTAINMENT, LLC and JACK RUSSELL GR

## SUMMONS IN A CIVIL ACTION

CASE NUMBER

08 CIV. 6574

JUDGE DANIELS

TO: (Name and address of Defendant)

JACK RUSSELL GROUP  
43 WEST 24TH STREET 9TH FLOOR  
NEW YORK, NEW YORK 10010

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

DAVID COHEN ESQ.  
19 EAST SHORE DRIVE  
PO BOX 299  
NIVERVILLE, NEW YORK 12130

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

7/24/08

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## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

8/14/08

DARRELL A. GREEN

PROCESS SERVER

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

- ☐ Returned unexecuted:

☒ Other (specify):

SEE ANNEXED AFFIDAVIT

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		<del>50.00</del> 150.00

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**Demovsky Lawyer Service**Premier Nationwide Document Retrieval  
and Process Service CompanyUNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
DBA DISTRIBUTION SERVICES, INC. d/b/a  
DISTRIBUTION BY AIR

Case No.08 CIV. 6574

V.

AFFIDAVIT OF SERVICE

MSL PRODUCTIONS, LLC, MSL SPORTS AND  
ENTERTAINMENT, LLC and JACK RUSSELL GR-----X  
STATE OF NEW YORK )

S.S.:

COUNTY OF NEW YORK)

DARRYL A. GREEN, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 14<sup>th</sup> day of August, 2008, at approximately 3:11pm, deponent served a true copy of the SUMMONS IN A CIVIL CASE, COMPLAINT AND ELECTRONIC CASE FILING RULES & INSTRUCTIONS upon JACK RUSSELL GROUP, c/o Stephen Fazio, Director of Purchasing at 43 West 24<sup>th</sup> Street, 9<sup>th</sup> Floor, New York, NY by personally delivering and leaving the same with JOHN WAX, who informed deponent that he is authorized to receive service at that address.

John Wax is a white male, approximately 35 years of age, stands approximately 5 feet 7 inches tall, weighs approximately 160 pounds with bald hair and brown eyes.

  
DARRYL A. GREEN #0866535Sworn to before me this  
18<sup>th</sup> day of August, 2008  
NOTARY PUBLICJONATHAN T. RIPPS  
NOTARY PUBLIC - STATE OF NEW YORK  
NO. 01R16109718  
QUALIFIED IN NEW YORK COUNTY  
COMMISSION EXPIRES MAY 17, 2012